

CABINET
3 DECEMBER 2019

**PROPOSED WAITING RESTRICTIONS MCMULLEN ROAD ROUNDABOUT -
OBJECTIONS**

Responsible Cabinet Member – Councillor Heather Scott
Leader and Local Services Portfolio

Responsible Director – Ian Williams
Director of Economic Growth and Neighbourhood Services

SUMMARY REPORT

Purpose of the Report

1. To advise Members of an objection received to a proposal for waiting restrictions at McMullen Road/Yarm Road roundabout and to seek a decision on whether to proceed with the proposal.

Summary

2. As part of the design of the recent roundabout improvement scheme at McMullen Road/Yarm Road, it was proposed to introduce waiting restrictions to ensure traffic flow is unimpeded on the approach/exit of the roundabout.
3. The Yarm Road approach/exit of the roundabout is fronted by residential properties, a shop, café and chip shop are also in close proximity. Vehicles parking in this location are causing traffic flow issues and potential road safety issues with vehicles encroaching into the opposing lane.
4. Waiting restriction proposals were developed and advertised to prevent parking and resolve the traffic flow/road safety (see plan at **Appendix A**). These were consulted upon.
5. An objection was received from a resident who owns one of the affected properties. The objector does not have off street parking due to having a mature tree outside his property which prevents construction of a vehicle access. They are concerned it will have an adverse effect on the property and prospective tenants will be deterred by the lack of off-street parking.
6. It should be noted that the only right the general public have on the public highway is a right of passage along it. The Council, acting in its capacity as the Highway Authority, have a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic.

Recommendation

7. It is recommended that Members consider the objection and set it aside for reasons outlined in this report and authorise officers to proceed with the proposal to introduce and no waiting at any time and no waiting 8.00am – 6.00pm.

Reasons

8. The recommendation is supported to improve the traffic flow and road safety of the roundabout.

Ian Williams
Director of Economic Growth and Neighbourhood Services

Background Papers

No Background papers were used in the preparation of this report

Chris Easby: Extension 6707

S17 Crime and Disorder	There are no direct implications
Health and Well Being	There are no direct implications
Carbon Impact and Climate Change	There are no significant impact implications in this report
Diversity	There are no direct implications
Wards Affected	Eastbourne
Groups Affected	All
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	No significant implications.
Efficiency	The proposal will prevent obstructive parking

MAIN REPORT

Information and Analysis

9. Yarm Road/McMullen Road roundabout is an extremely busy junction. Capacity improvements have recently been undertaken to manage congestion and traffic flow. However, the absence of waiting restrictions at the approach/exit of the roundabout permits vehicles to park at all times which is causing an obstruction.
10. The vehicles observed to be parking belong to residents, visitors and customers to the shop, chip shop and café. The parking causes traffic flow issues on a daily basis and potential road safety concerns.
11. The Council, acting in its capacity as the Highway Authority, have a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic.
12. A waiting restriction scheme was developed to address these concerns and consulted upon with those residential and business properties possibly affected.
13. A resident from Yarm Road has made an objection to the proposed waiting restrictions. The reason for this objection is he doesn't have off street parking due to having a mature tree outside his property which prevents construction of a vehicle access. They are concerned it will have an adverse effect on the property and prospective tenants will be deterred by the lack of off-street parking.
14. It should be noted that the only right the general public have on the public highway is a right of passage along it. The Council, acting in its capacity as the Highway Authority, have a duty of care to ensure the safety of the travelling public and a duty under the Traffic Management Act 2004 to maintain the expeditious movement of traffic. The Council will generally allow parking where it is considered safe to do so and where it does not impact on performance of the highway.
15. The Ward Councillors were consulted, and no comments were made on the proposal.
16. The proposed restrictions will improve the traffic flow and road safety and are considered necessary.
17. Subject to Cabinet approval, the restrictions will be introduced in accordance with the Council's powers as set out in Part 1 of the Road Traffic Regulations Act 1984.

Financial Implications

18. The proposal will be funded from the traffic management budget.

Legal Implications

19. The required legal process has been followed and traffic orders have been statutorily advertised for the required period.

Consultation

20. Officers have consulted the residents of 344 – 366, 377 – 399 Yarm Road and the owner of the Cutting Edge with the proposed waiting restrictions. The proposal has also been statutorily advertised in the press, following delegated authority to progress a traffic order. The outcome of the consultation is covered within the report.

